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REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application.

The Office action rejects:

claims 1-2, 6-8, 12-15, and 19 under 35 U.S.C. 103(a) over Sciammarella et al. (USP 6,608,633, hereinafter Sciammarella) and Ali (USPA 2002/0199194); and

claims 3-5, 9-11, 16-18, and 20 under 35 U.S.C. 103(a) over Sciammarella, Ali, and Lemmons (USP 6,481,011). The applicants respectfully traverse these rejections.

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) **must teach or suggest all the claim limitations**... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 1, upon which claims 2-6 depend, claims a method that includes rating categories based on user preferences, arranging the categories in accordance with a multi-level category scheme, and computing a rating of a category of a first level as a function of ratings of subordinate categories of a second level.

Claim 7, upon which claims 8-13 depend, claims an apparatus that includes user profile means for rating categories based on user preferences, and adapted to arrange the categories in accordance with a multi-level category scheme and to compute a rating of a category of the first level as a function of ratings of subordinate categories of the second level.

Claim 14, upon which claims 15-20 depend, claims an apparatus that includes a user profile module adapted to rate at least one of the plurality of categories based on user preferences, arrange the plurality of categories in accordance with a multi-level category scheme, and compute a rating of each of the plurality of categories of the first level as a function of ratings of plurality of categories of the respective second level.

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Neither Sciammarella nor Ali teaches or suggests computing a rating of a category of a first level as a function of ratings of subordinate categories of a second level, as specifically claimed in each of the independent claims 1, 7, and 14.

The Office action acknowledges that Sciammarella does not teach computing a rating of a category of a first level as a function of ratings of subordinate categories of a second level, and asserts that Ali provides this teaching. The applicants respectfully disagree with this assertion. The Office action merely asserts that because Ali's FIG. 5 illustrates a rating associated with an upper level category and lower level category, "it is inherent to the system overall and more directly to screen 50 that the rating of the category is computed based on the ratings of the sub-categories". The applicants note, however, that there is no teaching in Ali to support this assertion, and the Office action does not identify where this teaching is found in Ali.

The Board of Patent Appeals and Interferences has consistently upheld the principle that the burden of establishing a prima facie case resides with the Office, and to meet this burden, the Examiner must specifically identify where each of the claimed elements are found in the prior art (see, for example, *Ex Parte Naoya Isoda*, Appeal No. 2005-2289, Application 10/064,508 (BPAI Opinion October 2005)). The Office action has failed to identify where each of the claimed limitations can be found in Ali, and thus has failed to establish a prima facie case.

The Office action notes that Ali teaches using a user's various ratings to predict whether a particular program would be preferred by a user. The applicants concur that Ali provides this teaching, but notes that this teaching has no bearing on the applicants' claims. The applicants teach modifying/adjusting a category's rating based on the ratings of sub-categories within the category. Ali's determination of whether a particular program would be preferred by a user bears no relationship to adjusting the user's rating of a category. As the Office action notes: "the preferences are fed to one or more predictive algorithms to assign ratings to programs that predict the likelihood of the user liking them." That is, the user's ratings (preferences) are an

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input to Ali's predictive algorithms, not an output. Ali's predictive algorithms do not affect the user's ratings of the categories.

Because Ali fails to teach computing a rating of a category of a first level as a function of ratings of subordinate categories of a second level, as specifically claimed in each of the applicants' independent claims, the applicants respectfully maintain that the rejections of claims 1-20 under 35 U.S.C. 103(a) that rely on Ali for this teaching are unfounded, per MPEP 2142.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: **09/804,003**	Applicant	: **WEISHUT et al.**
Filed	: **12 Mar 2001**	TC/A.U.	: **2623**
Examiner	: **YIMAN, Harun M.**	Confirmation	: **8863**
Atty. Docket	: **NL-000147**		

Title: **METHOD AND APPARATUS FOR RATING DATABASE OBJECTS**

AMENDMENT and/or RESPONSE under 37 C.F.R. § 1.111

Mail Stop **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office action of 11 July 2006, please amend the above referenced application as follows and/or reconsider the application in light of the following remarks.

This paper includes (each beginning on a separate sheet):

1. **Amendments to and/or listing of the claims; and**
2. **Remarks / Discussion of issues.**

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Amendments to the Claims:

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1.(Currently Amended) A method of rating database objects, comprising:

categorizing the objects into a plurality of categories;

rating at least one of said categories based on user preferences;

arranging the categories in accordance with a multi-level category scheme with a first level of categories and a second level of categories subordinate to a respective category of the first level; and

computing ~~by a user profile module~~ a rating of a category of the first level as a function of ratings of subordinate categories of the second level.

2.(Previously Presented) A method as defined in claim 1, wherein the rating of the category of the first level is computed as the average of the ratings of subordinate categories of the second level.

3.(Previously Presented) A method as defined as defined in claim 1, wherein the method further comprises a step of visually representing a rating by means of a color.

4.(Previously Presented) A method as defined in claim 3, wherein a plurality of ratings is represented by means of a single color, a parameter of said color corresponding to a respective one of said plurality of ratings.

5.(Previously Presented) A method as defined in claim 4, wherein said parameter is the saturation of said color.

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6.(Previously Presented) A method as defined in claim 1, wherein the objects are programs in an electronic program guide (EPG) database, and the categories of the first and second level are genres and sub-genres of said programs, respectively.

7.(Currently amended) An apparatus for processing database objects, said objects being categorized into a plurality of categories, the apparatus comprising:

user profile means for rating at least one of said categories based on user preferences, wherein

the user profile means are further adapted to:

arrange said categories in accordance with a multi-level category scheme with a first level of categories and a second level of categories subordinate to a respective category of the first level, and to

compute a rating of a category of the first level as a function of ratings of subordinate categories of the second level.

8.(Previously Presented) An apparatus as defined in claim 7, wherein the rating of the category of the first level is computed as the average of the ratings of subordinate categories of the second level.

9.(Previously Presented) An apparatus as defined in claim 7, wherein the apparatus further comprises a display screen and the user profile means are adapted to visually represent a rating by means of a color.

10.(Previously Presented) An apparatus as defined in claim 9, wherein a plurality of ratings is represented by means of a single color, a parameter of said color corresponding to a respective one of said plurality of ratings.

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11.(Previously Presented) An apparatus as defined in claim 10, wherein said parameter is the saturation of said color.

12.(Previously Presented) A broadcast receiver as an apparatus as defined in claim 7, wherein said objects being programs in an electronic program guide (EPG) database, and the categories of the first and second level being genres and sub-genres of said programs, respectively.

13.(Previously Presented) A computer program product for performing, when executed on a programmable computing device, the steps of the method as defined in claim 1.

14.(Currently amended) An apparatus, comprising:

a central processing unit (CPU) adapted to process a plurality of database objects, wherein the objects are categorized into a plurality of categories;

a user profile module adapted to rate at least one of the plurality of categories based on user preferences, wherein

the user profile module is adapted to:

arrange the plurality of categories in accordance with a multi-level category scheme with a first level of categories and a second level of categories subordinate to a respective category of the first level, and to

compute a rating of each of the plurality of categories of the first level as a function of ratings of plurality of categories of the respective second level.

15.(Previously Presented) An apparatus as recited in claim 14, wherein the rating of the first level of categories is an average of the ratings of respective plurality of categories of the second level.

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16.(Previously Presented) An apparatus as recited in claim 15, wherein the apparatus further comprises a display screen and the user profile module is adapted to visually represent the ratings by colors.

17.(Previously Presented) An apparatus as recited in claim 16, wherein the first and the second levels of categories are displayed on the display screen.

18.(Previously Presented) An apparatus as recited in claim 17, wherein the display screen is adapted to display a connection indicator, which connects a category of one of the first level of categories to one of the second level of categories.

19.(Previously Presented) An apparatus as recited in claim 14, further comprising memory adapted to store user profile information.

20.(Previously Presented) An apparatus as recited in claim 16, further comprising an electronic program guide (EPG) module adapted to display programs on a screen, wherein the ratings of the plurality of second categories are included in the displayed programs.

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